

**FILED**

NOV 21 2019

Clerk, U.S. District Court  
District Of Montana  
Missoula

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MONTANA  
MISSOULA DIVISION

HELENA HUNTERS AND  
ANGLERS ASSOCIATION, and  
MONTANA WILDLIFE  
FEDERATION,

Plaintiffs, and

ALLIANCE FOR THE WILD  
ROCKIES, and NATIVE  
ECOSYSTEM COUNCIL

Consolidated Plaintiffs,

vs.

LEANNE MARTEN, in her official  
capacity; UNITED STATES FOREST  
SERVICE; UNITED STATES  
DEPARTMENT OF AGRICULTURE,

Federal Defendants, and

STATE OF MONTANA, and  
MONTANA BICYCLE GUILD

Defendant-Intervenors.

CV 19-47-M-DLC

(Consolidated with Case No.  
CV 19-106-M-DLC)

ORDER

Before the Court is Plaintiff Helena Hunters and Anglers Association's ("Helena Hunters") Unopposed Motion for Clarification Regarding Scheduling Order. (Doc. 69.) Helena Hunters seeks clarification on whether the Court's Scheduling Order (Doc. 9), which adopted the parties proposed briefing schedule

and request for additional words, also adopted the parties request to forgo citation to a separately filed statement of undisputed facts. (Doc. 69 at 2-3.) The Court recognizes that the parties made this additional request in their Stipulation and Joint Motion for Entry of a Scheduling Order (Doc. 8) and the Court's subsequent Order (Doc. 9) was silent on this issue, leading to the present confusion: Helena Hunters has filed its motion for summary judgment without a separately filed statement of undisputed facts as required by the local rules. (*See* Doc. 55.) Whereas Plaintiff Alliance for the Wild Rockies and Native Ecosystems Council, Federal Defendants, and Defendant-Intervenor Montana Bicycle Guild have each filed their respective motions for summary judgment with separately filed statements of undisputed facts. (Docs. 43, 44; 63, 64; 66, 67.)

Consistent with its typical practice and the local rules, the Court will require a statement of undisputed facts. Because the Court appreciates the confusion on this point, it will allow Helena Hunters to file such a statement along with its combined response and reply on December 20, 2019, allowing the other parties to file a statement of disputed facts with their final reply brief on January 17, 2020.

Accordingly, IT IS ORDERED that Helena Hunters' Unopposed Motion for Clarification Regarding Scheduling Order is (Doc. 69) GRANTED. The Court clarifies that it does require a statement of undisputed facts with the parties'

respective motions for summary judgment. Helena Hunters shall have through December 20, 2019 to file its statement.

DATED this 21<sup>st</sup> day of November, 2019.



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Dana L. Christensen, Chief Judge  
United States District Court